

Message Text

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E.O. 11652: GDS

TAGS: SHUM, TU

SUBJECT: HUMAN RIGHTS REPORT ON TURKEY

REF: ANKARA 804, ANKARA 801, ANKARA 795

1. IN RESPONSE CONCERNS EXPRESSED REFTELS, HUMAN RIGHTS REPORT ON TURKEY WAS FURTHER MODIFIED BEFORE TRANSMITTAL TO CONGRESS JANUARY 31. CONCERNING THE REMAINING REFERENCES TO KURDISH MINORITY, YOU SHOULD EMPHASIZE TO TURKS THAT THIS IN NO WAY AFFECTS THE ASSURANCES GIVEN TO ECEVIT DURING SECRETARY'S VISIT RE U.S. NON-INVOLVEMENT WITH KURDISH SEPARATISM. THOSE ASSURANCES REMAIN FIRM.

2. IN INFORMING TURKISH AMBASSADOR OF CHANGES MADE AT GOT REQUEST, WE EMPHASIZED THAT WE HAD MADE GREAT EFFORT TO BE CONFIDENTIAL

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RESPONSIVE AND THAT WE HOPED THE RESULT WOULD BE WELCOMED. WE ARE GIVING TURKISH EMBASSY COPIES OF HUMAN RIGHTS REPORT ON TURKEY AND CYPRUS.

BEGIN TEXT OF HUMAN RIGHTS REPORT FOR TURKEY:

TURKEY'S CONSTITUTION, PENAL CODE AND ADMINISTRATIVE REGU-

LATIONS PROVIDE SAFEGUARDS WHICH APPROXIMATE DUE PROCESS AS UNDERSTOOD IN WESTERN EUROPEAN COUNTRIES AND AFFORD PROTECTION FROM ARBITRARY ARREST AND DETENTION. TORTURE OR DEGRADING TREATMENT OF PRISONERS IS ILLEGAL UNDER TURKISH LAW. TURKEY'S FREE PRESS AND COMPETITIVE POLITICAL SYSTEM HAVE SERVED AS ADDITIONAL SAFEGUARDS. THE NEW TURKISH GOVERNMENT WHICH TOOK OFFICE IN JANUARY 1978 HAS ENUNCIATED PROTECTION OF HUMAN RIGHTS AS ONE OF ITS PRIMARY CONCERNS.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

A. TORTURE

AN AMNESTY IN 1974 RELEASED ALL POLITICAL PRISONERS, AND OTHER LEGISLATION RESTORED POLITICAL RIGHTS TO ALL THOSE PREVIOUSLY DEPRIVED THEM. IN 1976 AND 1977 SCATTERED ALLEGATIONS OF TORTURE WERE REPORTED IN A FEW NEWSPAPERS AND IN INDIVIDUAL WITNESS STATEMENTS MADE TO AMNESTY INTERNATIONAL; CONCLUSIVE PROOF IS LACKING. WHILE INCIDENTS OF TORTURE MAY OCCUR, THERE CLEARLY IS NO SYSTEMATIC POLICY OF TORTURE DIRECTED BY THE GOVERNMENT.

B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

THERE IS NO VERIFIED EVIDENCE OF CRUEL, INHUMAN OR DECONFIDENTIAL

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GRADING PUNISHMENT BEING PRACTICED IN TURKEY.

C. ARBITRARY ARREST OR IMPRISONMENT

OCCASIONAL ALLEGATIONS THAT THE PRESCRIBED DETENTION PERIOD HAS BEEN EXCEEDED ARE NOT SUPPORTED BY SIGNIFICANT EVIDENCE.

D. DENIAL OF FAIR PUBLIC TRIAL

TRIALS IN TURKEY ARE OPEN, AND DEFENSE LAWYERS ARE AVAILABLE UNDER ALL CIRCUMSTANCES.

E. INVASION OF THE HOME

PRIVACY OF THE HOME IS PROTECTED BY LAW, THE REQUIREMENTS OF WHICH ARE MET.

2. GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION

GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF BASIC

NEEDS FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION ARE GOOD AND LIMITED ONLY BY THE ECONOMIC RESOURCES OF THE COUNTRY.

3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:

A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION, AND ASSEMBLY

FREEDOM OF THOUGHT, RELIGION AND ASSEMBLY ARE RESPECTED IN TURKEY. GOVERNMENT NOTIFICATION AND APPROVAL ARE NECESSARY FOR LARGE PUBLIC MEETINGS, BUT SUCH MEETINGS, INCLUDING THOSE OF A POLITICAL NATURE, ARE FREELY HELD.

FREEDOM OF WORSHIP IS PROTECTED UNDER BOTH THE TURKISH
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CONSTITUTION AND THE 1923 TREATY OF LAUSANNE. THE ARMENIAN PATRIARCH OF ISTANBUL STATED IN 1977 THAT "WE ENJOY COMPLETE FREEDOM OF WORSHIP."

THE SMALL GREEK, CHRISTIAN, AND JEWISH POPULATIONS ALSO ENJOY FREEDOM OF WORSHIP.

CHARGES HAVE BEEN MADE THAT VARIOUS MINORITIES, FOR EXAMPLE THE ARMENIANS, GREEKS AND KURDS, SUFFER FROM CULTURAL AND ECONOMIC, ALTHOUGH NOT RELIGIOUS, DISCRIMINATION. AS FOR THE KURDS, THE TURKISH GOVERNMENT HAS PROHIBITED PUBLICATION IN, OR TEACHING OF, KURDISH SINCE 1925 WHEN A SERIES OF KURDISH REVOLTS THREATENED THE STABILITY AND UNITY OF EASTERN TURKEY. HOWEVER, THERE DOES NOT APPEAR TO BE ANY OFFICIAL DISCRIMINATION AGAINST INDIVIDUALS BELONGING TO MINORITY GROUPS, SOME OF WHOM ARE PROSPEROUS AND ARE LEADERS IN THE PROFESSIONS. MINORITY INSTITUTIONS HAVE ENCOUNTERED PROBLEMS IN SUCH AREAS AS PERMITS TO MAINTAIN OR EXPAND EXISTING CHURCHES AND OTHER FACILITIES. SUCH ACTIONS APPEAR TO BE HAPHAZARD IN NATURE AND DO NOT APPEAR TO BE THE RESULT OF DELIBERATE GOVERNMENT POLICY.

B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND EMIGRATION

THERE IS FREEDOM OF MOVEMENT, FOREIGN TRAVEL AND EMIGRATION.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS

THE ABILITY TO PARTICIPATE IN THE POLITICAL PROCESS IS EXTENSIVELY PROTECTED IN TURKEY. TURKEY ENJOYS A VIBRANT POLITICAL PROCESS, WITH PARTIES REFLECTING ALL PARTS OF THE POLITICAL SPECTRUM. ELECTIONS ARE WELL CONTESTED AND HONEST
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4. GOVERNMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL
AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS
OF HUMAN RIGHTS

WE ARE NOT AWARE OF ANY OBSTACLES TO OUTSIDE INVESTIGATION
AND MEMBERS OF AMNESTY INTERNATIONAL, FOR EXAMPLE, OPERATE
FREELY IN TURKEY.

IN LIGHT OF THE TURKISH MILITARY INTERVENTION IN 1974 AND
THE CONTINUED PRESENCE OF TURKISH ARMED FORCES IN NORTHERN
CYPRUS, TURKEY TO SOME EXTENT SHARED WITH THE GREEK COM-
MUNITY RESPONSIBILITY FOR THE HUMAN RIGHTS SITUATION ON
THE ISLAND. THE REPORT RELATING TO CYPRUS TAKES UP
CHARGES AND COUNTER-CHARGES RELATING TO HUMAN RIGHTS VIO-
LATIONS ON THE ISLAND. END TEXT. VANCE

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